

### Remarks

Claims 1-20 were submitted for examination. Claims 1-20 stand rejected. Claims 1, 2, 3, 5, 6, 13, and 18 have been canceled. Claims 4, 7, 11, 12, 14, 17, 19 and 20 have been amended.

Claims 1, 2, 7-9, 12-15, 18 and 20 were rejected under 35 U.S.C. 102(b) as being anticipated by Rose et al., U.S. Pat. No. 5,894,279.

Claims 1, 2, and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by Cornett et al., U.S. Pat. No. 5,278,553.

Claims 1, 2, 6 and 11 were rejected under 35 U.S.C. 102(e) as being anticipated by Wilhelm, U.S. Pat. No. 6,452,506.

Claims 3, 4, 17 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett et al., U.S. Pat. No. 5,278,553, in view of Garvis, U.S. Pat. No. 5,647,011.

Claims 10 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rose et al., U.S. Pat. No. 5,894,279, in view of McConnell et al., U.S. Pat. No. 5,710,555.

Claim 4 has been rewritten in independent form. Claim 17 has been rewritten in independent form. Claim 19 has been rewritten in independent form. Other claims have been amended to correct dependencies.

#### **Claim 4**

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett et al., U.S. Pat. No. 5,278,553, in view of Garvis, U.S. Pat. No. 5,647,011.

Regarding Claim 4, Garvis at least fails to teach “broadcasting at least a portion of the sound associated with the emergency vehicle includes broadcasting the sound through headphones.”

The Office Action asserts that Garvis teaches “a headphone sound system which uses a switching circuit in interrupt circuit 30 to disable a sound source 16 when extraneous sounds picked up by a microphone 32 have a signal level above a predetermined threshold.”

However, the headphone sound system of Garvis only disables the sound source and does not broadcast the sound through headphones as required by independent Claim 4.

Accordingly, for at least the foregoing reasons, Garvis fails to teach or suggest the limitations of Claim 4. The rejection of Claim 4 is thus unsupported, and must be withdrawn. Claims 7-12 depend from allowable Claim 4 and are allowable for at least this reason.

**Claim 17**

Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett et al., U.S. Pat. No. 5,278,553, in view of Garvis, U.S. Pat. No. 5,647,011.

Regarding Claim 17, Garvis at least fails to teach “broadcasting at least a portion of the particular sound in the vehicle.”

The Office Action asserts that this feature is well known and that Garvis teaches that “it was advantageous to recreate external sounds over the radio or interrupt the radio and produce the sounds to alert vehicle occupants who are unable to hear the emergency vehicle’s sirens.” (Garvis, column 1, lines 28-39).

Applicant asserts that Garvis is non-enabling and does not teach the elements of claim 17. Garvis does not provide an enabling disclosure. Although an issued U.S. patent used as a prior art reference is presumed to be enabling in an obviousness rejection, the Office Action does not cite the claimed invention of Garvis or alternate embodiments of Garvis. Instead, reference is made to a paragraph in the Background of Garvis. In fact, the embodiments of Garvis teach away from the claimed limitations of Claim 17. For example, the embodiments of Garvis use a switching circuit to disable a sound source. Thus, Garvis does not teach “broadcasting at least a portion of the particular sound in the vehicle.”

Accordingly, for at least the foregoing reasons, Garvis fails to teach or suggest the limitations of Claim 17. The rejection of Claim 17 is thus unsupported, and must be withdrawn. Claims 14-16 depend from allowable Claim 17 and are allowable for at least this reason.

**Claim 19**

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett et al., U.S. Pat. No. 5,278,553, in view of Garvis, U.S. Pat. No. 5,647,011.

Regarding Claim 19, Garvis at least fails to teach “a broadcast unit to broadcast at least a portion of the external sound in the vehicle.”

Applicant asserts that Garvis is non-enabling and does not teach the elements of Claim 19. Garvis does not provide an enabling disclosure. Although an issued U.S. patent used as a prior art reference is presumed to be enabling in an obviousness rejection, the Office Action does not cite the claimed invention of Garvis or alternate embodiments of Garvis. Instead, reference is made to a paragraph in the Background of Garvis. In fact, the embodiments of Garvis teach away from the claimed limitations of Claim 19. For example, the embodiments of Garvis use a switching circuit to disable a sound source. Thus, Garvis does not teach “a broadcast unit to broadcast at least a portion of the external sound in the vehicle.”

Accordingly, for at least the foregoing reasons, Garvis fails to teach or suggest the limitations of Claim 19. The rejection of Claim 19 is thus unsupported, and must be withdrawn. Claim 20 depends from allowable Claim 19 and is allowable for at least this reason.

Conclusion

For the foregoing reasons, it is submitted that the application is in condition for allowance, and indication of allowance by the Examiner is respectfully requested. If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible. If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 02-2666.

Respectfully submitted,

Intel Corporation

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